

RESOLUTION NO. 2010-07

A RESOLUTION OF THE TOWN COMMISSION OF THE  
TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA,  
ADOPTING COMMISSION MEETING AND AGENDA  
PROCEDURES; PROVIDING FOR CONFLICTS;  
PROVIDING FOR SEVERABILITY; AND PROVIDING  
FOR AN EFFECTIVE DATE

WHEREAS, Section 2-19 "Minutes and Procedures of Meetings," of the Code of Ordinances of the Town of Lauderdale-By-The-Sea, Florida, provides that the Town Commission may establish procedures relative to Town Commission meetings and agendas; and

WHEREAS, these procedures shall be administered and implemented with flexibility, to assure that the will of the majority is accomplished while the rights of the minority are protected, to the end of accomplishing Town business in an efficient, effective and respectful manner; and

WHEREAS, the Town Commission desires to adopt procedures for Town Commission meetings and agendas, as provided herein, by resolution; and

WHEREAS, the adoption of these procedures is in the best interest of the Town of Lauderdale-By-The-Sea.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AS FOLLOWS:

**Section 1. Recitals.** The recitals contained in the preamble to this Resolution are incorporated by reference herein.

**Section 2. Procedures Adopted.** The following Town Commission Meeting and Agenda Procedures are hereby adopted:

31 A. TOWN COMMISSION MEETINGS

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- 33 i. **Regular Meetings.** Pursuant to Town Code Section 2-16, the Town Commission
- 34 shall hold regular meetings on the second and fourth Tuesdays of each month at
- 35 Jarvis Hall. Commission meetings are traditionally held at 7:00 p.m. The
- 36 Commission may cancel or reschedule regular Commission meetings as it
- 37 determines to be necessary. A regular meeting may be recessed to a later date
- 38 certain which is announced at the regular meeting. All meetings shall be open to
- 39 the public, except as may be expressly exempted by state law, and shall include a
- 40 section devoted to public comment. The Town Manager shall attend regular
- 41 meetings, shall prepare an agenda with appropriate backup, and shall assure that
- 42 relevant staff persons are present for the items on the agenda. The Town Attorney
- 43 shall attend regular meetings. The purpose of such meetings is to conduct the
- 44 business of the Town. If an item bogs down in extensive discussion at a regular
- 45 meeting, any Commissioner<sup>1</sup> may move that the item be continued to a
- 46 roundtable. Items requiring Commission action to become effective must return
- 47 to a regular or special Commission meeting if such action is to be taken.
- 48
- 49 ii. **Roundtable Workshop Meetings.** The Town Commission shall meet at least
- 50 once a month in a roundtable to be conducted as a public meeting, but without
- 51 public comment. The Commission may cancel or reschedule roundtable meetings
- 52 of the Commission as it determines to be necessary. A roundtable may be
- 53 recessed to a later date certain which is announced at the roundtable. The Town
- 54 Commission shall discuss the agenda items and provide feedback, but shall not
- 55 take action at roundtables. The Town Manager shall attend the roundtable,
- 56 prepare an agenda with appropriate backup, and assure that relevant staff persons
- 57 are present for the items on the agenda. The Town Attorney shall attend
- 58 roundtables.
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- 60 iii. **Special Meetings.**
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- 62 (a) Pursuant to Town Code Section 2-18, with the written notice required
- 63 therein, the Commission may hold special meetings at any time on the call
- 64 of the Mayor or any two (2) Commissioners, upon no less than 48 hours'
- 65 notice to each Commissioner and the public, or such shorter time as any
- 66 three (3) Commissioners shall deem necessary in case of an emergency
- 67 affecting life, health, property or the public peace. Immediately upon
- 68 convening such special meeting, the Town Commission shall consider any
- 69 such determination of emergency, and may continue the meeting if an
- 70 emergency is found to exist by at least three (3) Commissioners. A
- 71 majority of the Commissioners shall constitute a quorum to transact
- 72 business, but a lesser number may meet and adjourn from time to time
- 73 and, if necessary, may compel the attendance of absent Commissioners.
- 74 Commission meetings are traditionally held at 7:00 p.m., but shall be

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<sup>1</sup> All references to Commissioner herein shall be construed to also refer to the Mayor-Commissioner.

75 scheduled to accommodate the schedule of all Town Commissioners as  
76 much as is feasible. The Town Manager shall attend the special meeting,  
77 shall prepare an agenda with appropriate backup, and shall assure that  
78 relevant staff persons are present for the items on the agenda. The Town  
79 Attorney shall attend special meetings.  
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81 (b) Notice to the public shall be accomplished by posting at the Town Hall.  
82 Notices shall state the place, date and hour of the special meeting and the  
83 purpose for which such meeting is called and no further business shall be  
84 transacted at the meeting, except as stated in the notice. Discussions at a  
85 special meeting shall be limited to the items listed on the agenda for such  
86 meetings. All special meetings shall be open to the public, except as may  
87 be expressly exempted by state law.  
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89 (c) A special meeting may be recessed to a later date certain which is  
90 announced at the special meeting.  
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92 iv. **Robert's Rules of Order.** For matters not addressed by this Resolution, all  
93 meetings of the Town Commission shall be governed by the rules of procedure  
94 provided by Robert's Rules of Order. Unless objection thereto is made by a  
95 Commissioner, the Mayor may refrain from a too rigid enforcement of such rules,  
96 in order to expedite the transaction of business. The Mayor may make and second  
97 motions without passing the gavel to the Vice-Mayor.  
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99 B. DUTIES AND RESPONSIBILITIES OF THE MAYOR  
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101 i. **Mayor to Serve as Presiding Officer.** The Mayor shall be the presiding officer  
102 at all Town Commission meetings. The Vice Mayor shall act as the presiding  
103 officer during the absence of the Mayor. In the absence of both the Mayor and  
104 Vice Mayor, the remaining Commissioners shall, by majority vote, select a  
105 presiding officer (Mayor Pro Tem) to carry out the functions of Mayor for that  
106 meeting, as defined in this Resolution.  
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108 ii. **Mayor to Determine Questions of Order.** The Mayor shall be the  
109 parliamentarian and shall decide on all questions of order subject, however, to an  
110 appeal by the other Commissioners. A majority vote of the Town Commission,  
111 following a proper motion appealing the Mayor's decision and a second, will  
112 govern appeals of questions of order. The Mayor may consult with the Town  
113 Attorney for advice on any question of order.  
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115 iii. **Mayor's Conduct of the Meeting.** In accordance with Town Charter Section  
116 5.2(1), the Mayor shall have a voice and a vote on all questions and items, and be  
117 called last, but does not have veto power. The Mayor may make and second  
118 motions without passing the gavel. The Mayor shall introduce agenda items by  
119 the agenda item and number. The Town Attorney shall read the titles of

120 legislation as may be requested by the Mayor. Thereafter, the Mayor may call  
121 upon the Town Manager to give any needed explanation of the item up for  
122 consideration. Following this, the item shall be opened for Town Commission  
123 discussion or public hearing as required by the item, under the guidelines  
124 established herein. All comments or questions by the attending public shall be  
125 directed to the Mayor. All motions shall be read aloud before a vote is taken.  
126 After a decision is made, it shall be read back by the Town Clerk as clearly and  
127 concisely as possible.  
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- 129 iv. **Mayor to Maintain Decorum at Town Commission Meetings.** Should a  
130 member of the audience become unruly or behave in any improper manner  
131 prejudicial to the proper conduct of the meeting, the Mayor shall maintain order  
132 and decorum in accordance with Section 2-23 of the Code. All comments shall  
133 relate to Town business. The broadest possible accommodation shall be provided  
134 for statements of personal opinion, but no one shall engage in personal attacks.  
135 Proper titles shall be used at all times, to contribute to a respectful and business-  
136 like atmosphere. The Mayor may interrupt to maintain order and decorum, but  
137 such interruption shall not reduce the speaker's time. The Mayor is given the  
138 right and the authority to require such person to leave Jarvis Hall, to be  
139 accompanied, if necessary, by a Police Officer, in accordance with Section 2-23.  
140 In the event the audience, or a part thereof, becomes unruly, the Mayor may either  
141 recess or adjourn the meeting. Persons violating Florida Statute Section 871.01  
142 may be arrested by police officers present and noting the willful interruption or  
143 disturbance.  
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145 C. **ORDER OF BUSINESS**  
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147 The order of business of the Town Commission at the regular Commission meetings shall  
148 be as follows:  
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- 150 (1) Call to Order/Invocation/Pledge of Allegiance
- 151 (2) Additions, Deletions, Deferrals of Agenda Items
- 152 (3) Special Presentations
- 153 (4) Departmental Reports and Town Manager Report
- 154 (5) Public Comments
- 155 (6) Consent Agenda, Including Approval of Minutes
- 156 (7) Ordinances
- 157 (8) Resolutions
- 158 (9) Quasi-Judicial Public Hearings
- 159 (10) Commissioner Comments
- 160 (11) Adjournment  
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162 Where any applicable law may require a different order or procedure for the Commission  
163 meeting, such as for meetings involving the budget, those laws shall be followed and the  
164 meeting procedures altered as may be appropriate.

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166 D. COMMISSION DISCUSSION  
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- 168 i. **Discussion by Commissioner.** Discussion by Commissioners shall be limited to  
169 three minutes except as may otherwise be determined by a majority of the Town  
170 Commission. Each Commissioner shall be afforded the opportunity to offer  
171 rebuttal on each item discussed, which shall also be limited to three minutes. A  
172 Commissioner, once recognized by the Mayor, shall direct all comments or  
173 questions on the subject matter being discussed to the Mayor only.  
174 Commissioners shall not engage in cross conversation with other Commissioners  
175 or the public, and shall not engage in personal attacks. Commissioners shall not  
176 interrupt another Commissioner who has the floor, and shall be polite and  
177 respectful. Those who are disruptive shall receive at least one warning before  
178 being ejected in accordance with Code Section 2-23. The Town Manager may  
179 play a role in keeping the Town Commission discussion on topic and keeping the  
180 meeting moving forward. The Mayor shall not unreasonably withhold or delay  
181 recognition of any Commissioner desiring to speak. The Mayor shall recognize  
182 other Commissioners in rotation and not call on any Commissioner a second time  
183 or subsequent time until such time as all Commissioners shall have had an  
184 opportunity to speak.

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186 ii. **Questions by Commissioners.** In the event a Commissioner wishes to direct  
187 questions to another Commissioner or to the public, the questions shall be  
188 directed to the Mayor who, in turn, will recognize the Commissioner or member  
189 of the public who wishes to answer the specific questions. In the event a  
190 Commissioner wishes to direct a question to the Town Manager, the question  
191 shall be directed to the Town Manager through the Mayor, who will, in turn,  
192 recognize the Commissioner. All questions of Town staff shall be made through  
193 the Town Manager.  
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195 E. PUBLIC PARTICIPATION AND DISCUSSION  
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- 197 i. **Public Hearings.** Individuals wishing to speak on matters that appear on the  
198 agenda as "Public Hearings" need only to be recognized by the Mayor. The  
199 public shall be permitted to speak after the Mayor opens an item for Public  
200 Hearing, for a maximum of three minutes each. After the Public Hearing is  
201 closed by the Mayor, only Commissioners or Town administration shall discuss  
202 the item.  
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204 ii. **Addressing Commission: Manner and Time.** Public discussion at public  
205 hearings or at items which are opened to public discussion (other than the general  
206 Public Comment portion of the meeting) shall be limited to three minutes  
207 maximum per person. However, the Mayor may authorize the extension of this  
208 time frame, after due consideration for the substance, content, and relative  
209 importance of the subject. Each person who addresses the Commission shall

210 approach the speaker's podium, shall give his or her name and state whether he or  
211 she is a resident of the Town. No person other than the member of the public  
212 recognized by the Mayor as having the floor shall be permitted to enter into  
213 discussion without the permission of the Mayor. No person shall approach the  
214 dais without first receiving permission from the Mayor. All questions from the  
215 public to the Commission shall be addressed through the Mayor, and shall be  
216 handled in the manner that the Mayor sees fit. The normal practice shall be for  
217 the Town Manager to designate a staff person to follow up on questions or  
218 requests, and to avoid conversation between the public speaker and the members  
219 of the Commission or the Town administration. Any answers that may be given  
220 shall not reduce the speaker's time. Speakers shall conduct themselves in a polite  
221 and respectful manner, and shall use proper titles when addressing  
222 Commissioners, the Mayor or other Town officials or staff by name. Persons who  
223 are disruptive shall receive at least one warning before being ejected in  
224 accordance with Code Section 2-23.  
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226 F. COMMISSION MEETING ITEMS  
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- 228 i. **Special Presentations.** This section of the agenda is reserved for  
229 presentations, proclamations or items of special recognition.  
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- 231 ii. **Departmental Reports.** Departmental reports are presented once a month, at  
232 a regular meeting of the Commission. All department heads shall attend the  
233 Commission meetings at which their departmental reports are scheduled to be  
234 presented. Any other items on the agenda for that meeting that involve their  
235 departments will be taken out of order at the beginning of the meeting to allow the  
236 involvement of the department head if requested by any Commissioner. If items  
237 involving department heads are placed by a Commissioner on the agenda of a  
238 Commission meeting at which departmental reports are not scheduled to be  
239 presented, the Commissioner may indicate that they wish for the relevant  
240 department head to attend that meeting, and the item will be taken out of order at  
241 the approximate time at which reports would normally be heard. All staff  
242 members present at the meeting, other than the Town Clerk and Town Manager,  
243 shall be seated at a staff table located directly in front of the Commission dais.  
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- 245 iii. **Town Manager Report.** Pursuant to Charter Section 5.5(5), the Town  
246 Manager shall attend all meetings of the Commission and has the right to take part  
247 in the discussion, but not to vote. The Town Manager shall recommend for  
248 adoption such measures as the Manager deems appropriate, necessary or  
249 expedient for the interests of the Town. This section of the agenda shall be  
250 utilized by the Town Manager for reports and additional items for Commission  
251 action. The Town Manager shall produce a written progress report for all major  
252 pending events in the Town, and an updated version shall be provided as backup  
253 for the Town Manager Report at each regular Commission meeting. The  
254 Manager may show an item as complete when he or she deems it so, in a separate

section at the bottom of the progress report. Upon approval of the report by the Town Commission, the completed item may be removed from the next progress report.

- ii. **Consent Agenda.** There shall be a consent agenda during each regular Town Commission meeting. The consent agenda shall contain the minutes of previous Commission meetings, resolutions, motions and other pertinent matters which, in the opinion of the Town Manager, may be handled and implemented without necessity for discussion. Unless a Commissioner specifically requests that an item be removed from the consent agenda, such items shall be approved and adopted by a single motion and vote of the Commission.
- iii. **Public Hearings.** Ordinances or other items requiring a public hearing shall be placed on this portion of the agenda.
- iv. **Resolutions.** Resolutions not included on the consent agenda shall be placed on this portion of the agenda.
- v. **Public Comments.** Individuals wishing to speak on matters not on the agenda for a public hearing, but still pertinent to the Town, may do so by signing in with the Town Clerk prior to the meeting. A statement shall be read at the beginning of the public comments summarizing these procedures. The Mayor will recognize those persons who signed in under the agenda item "Public Comments" and shall also recognize other persons who desire to speak. The time limit for each person to speak shall be three (3) minutes. The speaker is allowed uninterrupted time to present his or her point of view. Persons may reserve their comments for one agenda item at the time that the item is being discussed, in lieu of using their public comment time. The Town Manager shall follow up on public comments as appropriate, and shall inform the Town Commission of any such follow up.
- vii. **Commissioner Comments.** This section of the agenda shall be utilized by the Mayor and Commissioners, to provide informational reports. Each Commissioner and the Mayor shall have a maximum of five minutes for such reports, and there shall be no discussion with other Commissioners of such items. The order of speaking shall be determined at random.
- viii. **Commissioner Agenda Items.** Commissioners may submit a request for the preparation of policy, legislation or action by the Town Attorney or Town Manager. Except for informational reports, a signed written memorandum or form provided for such purposes shall state the purpose of the item/action, the major points to be covered, the reasons for necessary action, whether visual aids such as maps, plans, photos or powerpoint-style presentations may be appropriate, and the specific action or motion desired by the Commissioner. This agenda request shall be provided to the Town Manager prior to the deadline for closing the agenda, and date stamped on the front of the first page upon receipt by Town

300 staff. The Town Manager shall provide suitable relevant backup and information  
301 on the item, including any information on past experience with bidders or  
302 responders on a purchasing item. If the item can be resolved by the Town  
303 Manager without action of the Commission, the Manager shall be given the  
304 opportunity to do so. Once heard, the request shall not be acted upon until such  
305 request is approved by motion of the majority of the Town Commission. As  
306 much as possible, the topic of the report shall be provided to the Town Manager  
307 prior to the close of the agenda, so that the item may be noticed to the public.  
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- 309 viii **Adjournment.** All meetings of the Town Commission whether they be special or  
310 regular meetings, shall be adjourned at 11:00 p.m. However, the Town  
311 Commission, by affirmative vote of four (4) Commissioners present at the  
312 meeting, may extend the meeting beyond the time limit. In any event, the motion  
313 to continue the meeting must provide for a specific time frame which the Town  
314 Commission will honor for the purposes of continuing the meeting.  
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316 F. COMMISSION AGENDA PREPARATION  
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- 318 i. **Agenda Closing Dates.** The agenda for all regular meetings of the Town  
319 Commission shall be closed by noon on the Monday prior to the date of the  
320 meeting. The Manager shall determine the agenda closing date for any special  
321 meetings at least seven (7) days prior to the date of the meeting. No additional  
322 items shall be added to the agenda of the regular meeting after the agenda closing  
323 date unless it is deemed to be an emergency. An emergency item requiring  
324 immediate Commission action may only be added to the agenda by majority vote  
325 of the Town Commission at the meeting. Alternative, the item may be deferred to  
326 a date certain.  
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- 328 ii. **Placement of Items on Agenda.** All appropriate background material shall  
329 accompany the item in the form of a signed memorandum. All information  
330 relating to items to be placed on the agenda shall be submitted by the Town  
331 Commissioner to the Town Clerk by 12:00 noon the Monday prior to a regular  
332 meeting. A complete package of all agenda material shall be provided to the  
333 Town Commission by the Town Clerk no later than 5:00 p.m. on the Friday prior  
334 to the date of the regular meeting. In the event that pertinent information relating  
335 to the agenda item is missing or unaccounted for prior to the meeting, the Town  
336 Commission may remove the item from the agenda at the regular meeting.  
337 Voluminous agenda items, such as the responses to requests for proposals or  
338 qualifications, shall be provided to the Town Commission by the Town Clerk no  
339 later than 5 p.m. on the Thursday prior to the date of the regular meeting, if  
340 feasible. Any powerpoint-style presentations to be presented at a regular  
341 Commission meeting by Town staff, or by other persons if an advance copy of  
342 such presentation has been provided to the Town staff, shall be provided to the  
343 Commissioners by the Town Clerk at least 48 hours prior to the meeting time, if  
344 feasible.



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- v. **Preparation of Legislation.** All Ordinances and Resolutions shall show the name of each Commissioner and whether such Commissioner voted for, against or failed to vote. All Ordinances and Resolutions, once approved by the Town Commission, shall be executed by the Mayor and attested by the Town Clerk.
  - vi. **Sequence of Agenda Items.** Upon request by the Mayor, items on the agenda may be moved out of sequence in order to expedite the matters before the Town Commission.
  - vii. **Minutes.** The Town Clerk shall have minutes ready for approval on the next available Committee meeting agenda if feasible, given the number and length of pending minutes and other workload considerations. Minutes shall record all actions taken by the Commission, and shall contain sufficient detail regarding decisions made, comments received, and discussion of the Commission.

361 G. OTHER PROCEDURES

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- i. **Town Charter.** Nothing herein shall conflict with procedures mandated by the Town Charter.
  - ii. **Motion to Reconsider.** A motion to reconsider any question which has been determined by the Town Commission may be made only by a Commissioner who voted on the prevailing side, and who, not later than the next regular meeting following that on which such question was so determined, requested that a motion to reconsider be placed on the next regular meeting agenda.
  - iii. **Roll Call Vote.** Any Commissioner may demand the yeas and nays on any question submitted, or to be submitted, to voice vote and, when so demanded, the Town Clerk shall call the roll of Commissioners present and record the vote of each Commissioner.
  - iv. **Tie Vote.** Tie votes automatically fail.
  - v. **Action Agenda.** An action agenda shall be circulated by the Town Clerk within forty-eight hours of each Commission meeting, containing a brief description of action taken or discussion among the Commission on each agenda item.
  - vi. **Order of Seating.** On the Commission dais (facing the audience), the Town Clerk shall be seated at the left end and the Town Manager shall be seated at the right end. The Mayor shall be seated in the center of the dais, with the Town Attorney seated to his or her right side.

- vii. **Waiver of the Procedures.** The intent of these procedures is to assure the smooth and efficient functioning of the Commission meeting, and to prioritize the completion of Town business. However, any Commissioner may propose to waive the strict application of the procedures in a particular circumstance. The procedure shall be waived upon a proper motion, second and approval of the waiver by a simple majority. A permanent change to the procedures shall be accomplished by adopting an amending Resolution.

H. **QUASI-JUDICIAL PROCEEDINGS**

Quasi-judicial proceedings shall be excepted from this Resolution and shall be governed by Town Code.

**Section 3. Conflict.** All resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed to the extent of such conflict.

**Section 4. Severability.** The provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Resolution, but they shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

**Section 5. Effective Date.** This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED THIS \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

424 APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

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428 Town Attorney

# Memo

To: Mayor and Town Commission, Town of Lauderdale-by-the-Sea

Cc: Esther Colon, Town Manager

From: Susan L. Trevarthen, Town Attorney

Date: March 23, 2010

Re: Procedures Resolution

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As discussed at the Organizational Meeting of the new Town Commission on March 17, 2010, I have prepared a draft Resolution memorializing the agreed procedures for Town Commission meetings. I have attempted to accurately capture all of the consensus that was reached at that meeting. If you believe that I have overlooked some aspect of the agreed procedures, please contact me.

The Commission indicated its desire to conduct its business in accordance with what was agreed to at the Organizational Meeting at all future meetings. The deadline to add items to the March 23 agenda had already passed prior to the Organizational Meeting. Therefore, the final form of this Resolution will be placed on the agenda of the April 13 meeting agenda for discussion and for formal approval. In the interim, the Commission meetings will be conducted in accordance with what was expressed at the Organizational Meeting.

Please review the draft Resolution, and contact me if you have any questions or would like to discuss any aspect of it. The remainder of this memo addresses items that I omitted from the Resolution, and the issue of whether to adopt the Town Commission meeting procedures by resolution.

## Omitted Items

A few issues addressed at the Organizational Meeting do not related to the conduct of Town Commission meetings, and therefore do not fit neatly into this Resolution. They are listed here for your information, based on my understanding of the consensus reached.

1. *Board Member Appointments.* The Master Plan Steering Committee appointments were discussed, and a set of procedures were circulated by Commissioner Sasser for appointing

board members. This issue was to be resolved at the March 23, 2010 Town Commission meeting and, at that time, the Commission can determine whether to add the topic of board member appointments to the Resolution.

2. *Budgets and Consultants for Boards.* The availability of outside expertise and budgeting for the Master Plan Steering Committee and other boards was also discussed. The Commission appeared to come to a consensus that boards and committees should have budgets, should have access to outside expertise within the scope of their budgets, but should coordinate all such activity through Town staff, who shall assure that proper procedures are followed and that Town resources are conserved. (Also, it is worth noting that some of the Planning and Zoning Board and Board of Adjustment procedures and appointments are already addressed in Chapter 30, in Sections 30-6 and 30-7.)

3. *Roundtable.* The Commission agreed that the first roundtable workshop, the scheduling of which has yet to be determined, will contain a discussion of purchasing issues.

4. *"Green" Backup.* The Commission indicated its desire to be "green" and minimize the amount of documents included as part of the agenda backup as feasible.

5. *Meetings Held by Other Elected Officials.* The Commission indicated its desire that Jarvis Hall be made available for use by federal, state and county elected officials on short notice for community meetings (no electioneering). It further concluded that this use should take precedence over scheduled board and committee meetings, if those meetings do not include items that have scheduled public hearings or other matters that would be expensive or difficult to reschedule.

[Please note that Article VII of Chapter 17 of the Code addresses the use of Jarvis Hall, and any meetings of this type would need to comply with the regulations of the Code. Section 17-106 requires approval of a permit for all events using Jarvis Hall by the Town Commission. Therefore, the earliest that an event could be scheduled is following the next available Commission meeting, which could be two or more weeks away. If the desire of the Commission is to allow meetings on even shorter notice, an ordinance amending the Code will need to be prepared and adopted.]

### Method of Adoption

A question was raised regarding whether the Commission should adopt these procedures by resolution. Because of past concerns and controversies over what procedures the prior Commission had agreed to follow, I suggested that you consider formally adopting your procedures by resolution. This is done in many cities so that everyone is clear exactly what has been agreed. The resolution can be distributed to the public and posted on the Town's website if desired.

Resolutions are the most flexible form of official written action that the Commission can take. As provided in Section 166.041, Florida Statutes:

(1)(b) "Resolution" means an expression of a governing body concerning matters of administration, an expression of a temporary character, or a provision for the disposition of a particular item of the administrative business of the governing body.

Unlike ordinances, resolutions do not require publication of the title, two readings, and a public hearing, and they are not codified. Like any resolution, once this one is adopted, it can be revised or even repealed by a majority of the Commission as circumstances evolve. A change would merely need to be properly placed on the agenda of a regular or special Commission meeting for action. I and the Town Manager would be available to assist in developing any proposed changes if desired.